

**CITY OF GARFIELD
REQUEST FOR PROPOSAL
MUNICIPAL SPECIAL ENGINEER**

Date Issued: November 22, 2022

Return Date & Time: December 20, 2022, 11:00 AM

Return To: City Clerk's Office
City of Garfield
Garfield, NJ 07026

**REQUEST FOR PROPOSAL FOR THE POSITION OF
MUNICIPAL SPECIAL ENGINEER FOR THE CITY OF GARFIELD
FOR THE TIME PERIOD JANUARY 1, 2023 THROUGH DECEMBER 31, 2023**

The City of Garfield is soliciting proposals for the position of Municipal Special Engineer to provide professional services to the City on special engineering services related to the operations of the City. The City Manager/Mayor and Council will select one or more licensed engineers for the provision of these services based upon a fair and open process, pursuant to N.J.S.A. 19:44A-20.4, et. seq. and in accordance with the Resolution previously adopted by the City Manager/Mayor and Council to secure such services through a fair and open process. In order to have a proposal considered by the City Manager/Mayor and Council, an interested party must provide evidence that he/she satisfies the minimum requirements, as set forth in Section III of this document and that he/she otherwise complies with the proposal requirements set forth in the City of Garfield's REQUEST FOR QUALIFICATIONS AND PROPOSALS section of the City's web site.

SECTION I Appointment of Municipal Engineer

One engineer shall be appointed by the City Manager/Mayor and Council to serve as the official Municipal Engineer, and other engineers or firms may be appointed by the City Manager/Mayor and Council, for a term of one (1) year, to perform services for the City of Garfield including but not limited to those services as described in Section II of this document.

The City Manager/Mayor and Council may select, at its sole discretion, individuals or firms for this position, so long as those individuals or firms meet or exceed the minimum requirements set forth in Section III hereof. Once an appointment is made, no substitution of personnel may be made without the express written consent of the City Manager/Mayor and Council, which consent may be withheld in their sole discretion. The City Manager/Mayor and Council reserve the right to appoint other licensed engineers to perform engineering services as the need may arise.

SECTION II Scope of Services

The Municipal Special Engineer (and other engineers, if any) shall perform the following minimum duties as well as those prescribed by applicable law, subject to the review and approval of the City Manager/Mayor and Council:

- A. Provide engineering services as requested by the City Manager/Mayor and Council;
- B. Perform such duties as are prescribed by general law and ordinance;
- C. Prepare, or cause to be prepared, plans, designs, and specifications for public works projects and other improvements undertaken by the City of Garfield;
- D. Prepare reports and provide advice to the City Manager/Mayor and Council regarding issues that arise that include but are not limited to: regulations, legislation and ordinances;
- E. Interact with the City's Administration on related issues;
- F. When requested by the City Manager/Mayor and Council, reply to inquiries from residents and/or commercial enterprises;
- G. Attend regular, work, special, and executive Session meetings as requested by the City Manager/Mayor and Council.

SECTION III Minimum Qualifications and Response Requirements

In order for an individual's or firm's proposal to be considered by the City Manager/Mayor and Council, interested parties submitting proposals in response to this solicitation must meet the following:

- A. Minimum Qualifications:
 - 1. Is multi-disciplined with at least ten (10) years of experience in all aspects of municipal engineering (the appointed engineer may be assisted by employees of his/her firm with lesser levels of experience);
 - 2. That the Engineer has been licensed in the State of New Jersey for at least five (5) years;
 - 3. That the Engineer has at least five (5) years prior experience as a Municipal Engineer;
 - 4. That the Engineer, and/or firm, has sufficient staff to satisfy the scope of services described in this proposal;
 - 5. The Engineer has experience in road construction, construction management, water and sewer plant construction with engineers who hold licenses in those areas, land-use law experience, planning and landscaping engineers on staff, experience in environmental studies assessments (wetlands, archaeological, endangered species, hydrologic studies, storm water management), GIS, materials testing, surveying, traffic studies, drainage, and extensive knowledge of New Jersey Department of Environmental Protection rules and regulations;
 - 6. Engineer or firm submitting the response to this proposal carries professional liability insurance in an amount of at least \$1,000,000.00 with a carrier that has AAA rating by Best Insurance Digest; and

7. Engineer must be in good standing within the Professional Engineering Community.
8. That the Engineer or engineering firm submitting this proposal has not represented within the past three years and does not represent any adverse parties and claims whether administrative, civil, criminal, or otherwise, against the City of Garfield.
9. The individual or firm is in good standing within the State of New Jersey.

B. Minimum Requirements for Vendor Responses:

1. Interested parties wishing to provide a proposal in response to the City of Garfield's solicitation shall provide the following minimum information in its proposal, which proposal must be submitted at the location and within the time constraint set forth on page 1 of this document, and
2. Full name and business address of entity or person submitting the proposal and the name of the key contact person;
3. A description of the business organization (i.e., corporation, partnership, joint venture, etc.) of each firm, its ownership and organizational structure;
4. Number of years the organization has been in business under the present name, and the number of years the business organization has been under the current management;
5. List of all individuals who, if selected, will provide services to the City of Garfield, along with a summary of the post high school education and license held by each such person;
6. Number of years each individual has provided services to municipal entities in the State of New Jersey;
7. A description of the services that will be provided to the City of Garfield, in addition to those set forth in Section II above;
8. A copy or description of the professional liability insurance policy maintained by the attorney or law firm for the proposed calendar year;
9. A statement and listing of professional service fees that the Engineer and/or firm would offer to the City of Garfield, if selected to be the Engineer;
10. A statement that the applicant complies with N.J.S.A 10:5-1, et. seq., (Law Against Discrimination) and P.L.1975, c. 127 (Affirmative Action Law of the State of New Jersey);
11. The name and addresses of at least three (3) references consisting of clients for which the applicant has provided services in the past five (5) years, which should include at least one (1) municipal entity client;
12. A list and description of all professional liability claims, if any, brought against the applicant during the past five (5) years;
13. Confirmation of appropriate Federal, State, and Local licenses to perform activities; and
14. The Applicant shall number its responses using the sequential order listed in this section;

15. The applicant shall provide the City of Garfield with an original and two (2) copies of its proposal.

SECTION IV Basis of Award of Professional Services Contract

The City of Elmwood shall award all professional service agreements based upon qualifications, merit, cost competitiveness, references and experience with issues confronting the City of Garfield. The final determination will be based upon the most advantageous price and other factors to the City of Garfield. The specific basis of award will include:

A. Documented evidence that the individual/firm fulfills all of the Minimum Qualifications as listed in Section III, paragraph A., and all of the information required under paragraph B., including, but not limited to, insurance policy, Affirmative Action Compliance and professional service fees, are provided for review and consideration.

B. Technical Criteria:

1. Does the proposal demonstrate a clear understanding of the scope of work and related objectives?
2. Does the proposal document knowledge of the issues and operations of the City of Garfield, and how the proposed services will address these issues?
3. Is the proposal complete and responsive to the specific requirements?
4. Has successful past performance of the individual/firm and its principals been documented?

C. Management Criteria:

1. How well does the proposed scheduling timelines meet the City's needs?
2. Does the individual/firm document a record of reliability of timely delivery of deliverables?
3. Does the individual/firm document municipal/State experience?
4. Does the individual/firm document its availability to attend all scheduled/required public and special meetings?
5. To what extent does the individual/firm rely on in-house resources vs. contracted services?
6. Is there the availability of in-house and contract resources documented?
7. Is there Documentation of experience in performing similar work by employees?
8. Does the individual/firm make use of business capabilities or initiatives that involve women, the disadvantaged, small and/or minority owned business establishments?
9. Does the vendor demonstrate cultural sensitivity in hiring and training staff?

D. Cost Criteria:

1. Relative Cost – How does the cost compare to other similarly scored proposals?
2. Is the price and its component charges, fees, etc., adequately explained and documented?
3. Does the proposal include quality control and assurance programs?
4. Does the individual/firm have the sufficient financial resources to meet its obligations?

All awards are and shall be subject to the availability of funds for the professional services in the Temporary and/or Final Budgets.

REQUEST FOR PROPOSAL CHECKLIST

THIS CHECKLIST MUST BE COMPLETED AND SUBMITTED WITH YOUR PROPOSAL. PLEASE INITIAL BELOW, INDICATING THAT YOUR PROPOSAL INCLUDES THE ITEMIZED DOCUMENTS. A PROPOSAL SUBMITTED WITHOUT THE FOLLOWING DOCUMENTS MAY BE REJECTED.

ITEM	INITIALS
Executed Disclosure Statement (form provided)	
Executed Non-Collusion Affidavit (form provided)	
Executed Affirmative Action Compliance Notice (form provided)	
Executed Owner's Disclosure Statement (form provided)	
Executed Hold Harmless Agreement (form provided)	
Executed Americans with Disabilities Act of 1990 Language (form provided)	
Executed Vendor's Information (form provided)	
Executed Proposer's Affidavit (form provided)	
New Jersey Business Registration Certificate	
Responses to section III Part B 1 through 15	
Original and two (2) copies of completed package	

THE UNDERSIGNED HEREBY ACKNOWLEDGES THE ABOVE LISTED REQUIREMENTS.

Person, Firm or Corporation submitting Proposal: _____

Authorized Agent Name and Title: _____

Authorized Signature and Date: _____

DISCLOSURE STATEMENT

The attention of prospective proposer is drawn the provisions of the Local Government Ethics Law (N.J.S.A. 40A:9-22-1, et seq.) which prohibits the City of Garfield or an employee or member of his/her immediate family from having an interest in a business organization or engaging in any business transaction, or professional activity which is in substantial conflict with the proper discharge of his/her duties in the public interest.

In furtherance thereof, every proposer must disclose below, whether they are a City of Garfield Officer or employee or whether an immediate family member is a City of Garfield Officer or employee. If the proposer is a business organization, then disclosure shall be made with respect to anyone having an interest in the business and their immediate family members.

Please answer the following:

Is the proposer or a member of the proposer’s immediate family, or anyone having an interest in the proposer’s business organization including their immediate family members, an officer or employee of the City of Garfield?

NO _____ YES _____

* President, Vice President or Signature of
Authorized Representative

Print Name

Title

If yes, provide the name of the individual and identify the position held, below, and notify in writing, prior to the proposal opening date, to the City Administrator, City of Garfield, 111 Outwater Lane, Garfield, New Jersey 07424. (Kindly attach a copy of the correspondence to this form).

NOTE: All terms used herein are to be construed in accordance with their meaning under the Local Government Ethics Law, cited above.

*** FAILURE TO SIGN THIS AFFIDAVIT BY A DULY AUTHORIZED COMPANY OFFICIAL WILL RESULT IN REJECTION OF THIS PROPOSAL.**

NON-COLLUSION AFFIDAVIT

I, _____, of the City of _____, in the County of _____, and the State of _____, of full age, being duly sworn

according to law on my oath depose and say that:

I am _____, of the firm of _____ the
(Title) (Company Name)

proposer making this Proposal for the above named project, and that I executed the said Proposal with full authority to do so; that said proposer has not, directly or indirectly, entered into an agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive action in connection with the above named project and that all statements contained in said Proposal and in this affidavit are true and correct, and made with full knowledge that the State of New Jersey, County of Bergen, and the City of Garfield relies upon the truth of the statements contained in said Proposal and in the statements contained in this affidavit in awarding the contract for the said project.

I fully warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by _____.

(Company Name)

* President, Vice President or
Signature of Authorized Representative

Print Name

Title

*** FAILURE TO SIGN THIS AFFIDAVIT BY A DULY AUTHORIZED COMPANY OFFICIAL WILL RESULT IN REJECTION OF THIS PROPOSAL.**

AFFIRMATIVE ACTION REQUIREMENTS

BIDDERS ARE REQUIRED TO COMPLY WITH THE REQUIREMENTS OF N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27

REQUIRED AFFIRMATIVE ACTION EVIDENCE

PROCUREMENT & SERVICE CONTRACT (which are not subject to a Federally approved or sanctioned affirmative action program). All successful vendors must submit within ten calendar (10) days of the notice of intent to award (Memorandum of Agreement) or the signing of the contract, whichever is sooner, one of the following:

1. **A PHOTO COPY OF THEIR FEDERAL LETTER OF AFFIRMATIVE ACTION PLAN APPROVAL.**
OR
2. **A PHOTO COPY OF THEIR CERTIFICATE OF EMPLOYEE INFORMATION REPORT.**
OR
3. **A COMPLETED AFFIRMATIVE ACTION EMPLOYEE INFORMATION REPORT (AA302). FORM IS INCLUDED IN THIS PACKAGE, LAST PAGE.**

THE AFFIRMATIVE ACTION AFFIDAVIT FOR VENDORS HAVING LESS THAN FIFTY (50) EMPLOYEES IS NO LONGER ACCEPTABLE.

The undersigned vendor certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27-1 et. seq. and agrees to furnish the required forms of evidence.

The undersigned vendor further understands that his/her proposal shall be rejected as non-responsive if said vendor fails to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27-1 et. seq.

COMPANY NAME: _____

SIGNATURE: _____

PRINT NAME: _____

TITLE: _____

DATE: _____

EXHIBIT A
MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE N.J.S.A. 10:5-31 et seq.
(P.L. 1975, C. 127) N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the Proposer (herein after the contractor) agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. The contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302 (electronically provided by the Division and distributed to the public agency through the Division's website at www.state.nj.us/treasury/contract_compliance).

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to

Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.

HOLD HARMLESS AGREEMENT

BETWEEN: The City of Garfield
111 Outwater Lane
Garfield, New Jersey 07026

AND

Vendor's Name

Address – not a post office box

Telephone Number; Fax Number;

E-mail address

It is understood and agreed the Proposer is:

1. An independent Contractor and not an employee of the City of Garfield.
2. The Proposer agrees to indemnify and hold harmless the City of Garfield, its elected officials, and all of its officers, agents and employees from any and all liability for damages for injury to person and property, including death, and against and from all suits and actions and all costs, damages and charges of whatsoever kind and nature, including attorneys' fees to which the City of Garfield may be put for, or on account of, any injury or alleged injury to person, including death, or property, resulting from the performance of the Proposer's operations under this contract, or by or in consequence of any neglect or omission of the part of the Proposer in the performance of operations under this contract, whether such operations, or the absence thereof, be by the Proposer or anyone directly employed by the Proposer.
3. The Proposer shall hold the City of Garfield harmless for damages to the Proposer's equipment utilized during the term of this contract.

President, Vice President or Signature of Authorized Representative

Print Name

Title

Date

VENDOR INFORMATION

In order to assure that all future correspondence is directed to the correct address, assure proper ordering, expedite future payments, and in accord with I.R.S. regulations, the following information **must** be provided with this bid.

Name of Business: _____
(Print)

Name of Contact Person: _____
(Print)

Correspondence Address (including zip code):

Purchase Order Address for signature (including zip code):

Payment Address (including zip code):

Telephone Number (including area code): _____

Fax Number (including area code): _____

E-Mail Address: _____

Employer I.D. # or S.S. #: _____

FAILURE TO PROVIDE ALL OF THE ABOVE INFORMATION MAY RESULT IN REJECTION OF THIS BID.

DOCUMENT OWNERSHIP

This document was prepared by the City of Garfield (owner) and is provided on the City of Garfield's website at www.garfieldnj.org. This document is not to be reproduced for distribution to other vendors regardless of whether the vendor intends to charge, or not to charge, for said copy. Copies of this document are made available from the owner and there is no other agent authorized to distribute same.

The owner shall retain all of its rights and interest in any and all documents and property both hard copy and digital furnished by the owner to the vendor for the purpose of assisting the vendor in the performance of this contract. All such items shall be returned immediately to the owner at the expiration or termination of the contract or completion of any related services, pursuant thereto, whichever comes first. None of the documents and/or property shall, without the written consent of the owner, be disclosed to others or used by the vendor or permitted by the vendor to be used by their parties at any time except in the performance of the resulting contract.

Ownership of all data, materials and documentation originated and prepared for the owner pursuant to this contract shall belong exclusively to the owner. All data, reports, computerized information, programs and materials related to this project shall be delivered to and become the property of the owner upon completion of the project. The vendor shall not have the right to use, sell, or disclose any part or total of the interim or final work products, or make available to third parties, without the prior written consent of the owner.

STATE OF NEW JERSEY
Division of Purchase & Property
Contract Compliance Audit Unit
EEO Monitoring Program

EMPLOYEE INFORMATION REPORT

IMPORTANT-READ INSTRUCTIONS CAREFULLY BEFORE COMPLETING FORM. FAILURE TO PROPERLY COMPLETE THE ENTIRE FORM AND TO SUBMIT THE REQUIRED \$150.00 FEE MAY DELAY ISSUANCE OF YOUR CERTIFICATE. DO NOT SUBMIT EEO-1 REPORT FOR SECTION B, ITEM 11. For Instructions on completing the form, go to: http://www.state.nj.us/treasury/contract_compliance/pdf/aa302ins.pdf

SECTION A - COMPANY IDENTIFICATION

1. FID. NO. OR SOCIAL SECURITY	2. TYPE OF BUSINESS <input type="checkbox"/> 1. MFG <input type="checkbox"/> 2. SERVICE <input type="checkbox"/> 3. WHOLESALE <input type="checkbox"/> 4. RETAIL <input type="checkbox"/> 5. OTHER	3. TOTAL NO. EMPLOYEES IN THE ENTIRE COMPANY
4. COMPANY NAME		
5. STREET	CITY	COUNTY STATE ZIP CODE
6. NAME OF PARENT OR AFFILIATED COMPANY (IF NONE, SO INDICATE)		CITY STATE ZIP CODE
7. CHECK ONE: IS THE COMPANY: <input type="checkbox"/> SINGLE-ESTABLISHMENT EMPLOYER <input type="checkbox"/> MULTI-ESTABLISHMENT EMPLOYER		
8. IF MULTI-ESTABLISHMENT EMPLOYER, STATE THE NUMBER OF ESTABLISHMENTS IN NJ		
9. TOTAL NUMBER OF EMPLOYEES AT ESTABLISHMENT WHICH HAS BEEN AWARDED THE CONTRACT		
10. PUBLIC AGENCY AWARDED CONTRACT		CITY COUNTY STATE ZIP CODE
Official Use Only	DATE RECEIVED	INAUG. DATE ASSIGNED CERTIFICATION NUMBER

SECTION B - EMPLOYMENT DATA

11. Report all permanent, temporary and part-time employees ON YOUR OWN PAYROLL. Enter the appropriate figures on all lines and in all columns. Where there are no employees in a particular category, enter a zero. Include ALL employees, not just those in minority/non-minority categories, in columns 1, 2, & 3. *DO NOT SUBMIT AN EEO-1 REPORT.*

JOB CATEGORIES	ALL EMPLOYEES			PERMANENT MINORITY/NON-MINORITY EMPLOYEE BREAKDOWN										
	COL. 1 TOTAL (Cols. 2 & 3)	COL. 2 MALE	COL. 3 FEMALE	MALE					FEMALE					
				BLACK	HISPANIC	AMER. INDIAN	ASIAN	NON MIN.	BLACK	HISPANIC	AMER. INDIAN	ASIAN	NON MIN.	
Officials/ Managers														
Professionals														
Technicians														
Sales Workers														
Office & Clerical														
Craftworkers (Skilled)														
Operatives (Semi-skilled)														
Laborers (Unskilled)														
Service Workers														
TOTAL														
Total employment From previous Report (if any)														
Temporary & Part-Time Employees	The data below shall NOT be included in the figures for the appropriate categories above.													

12. HOW WAS INFORMATION AS TO RACE OR ETHNIC GROUP IN SECTION B OBTAINED? <input type="checkbox"/> 1. Visual Survey <input type="checkbox"/> 2. Employment Record <input type="checkbox"/> 3. Other (Specify)	14. IS THIS THE FIRST Employee Information Report Submitted? 1. YES <input type="checkbox"/> 2. NO <input type="checkbox"/>	15. IF NO, DATE LAST REPORT SUBMITTED MO. , DAY, YEAR
13. DATES OF PAYROLL PERIOD USED From: _____ To: _____		

SECTION C - SIGNATURE AND IDENTIFICATION

16. NAME OF PERSON COMPLETING FORM (Print or Type)	SIGNATURE	TITLE	DATE MO DAY YEAR
17. ADDRESS NO. & STREET	CITY	COUNTY	STATE ZIP CODE PHONE (AREA CODE, NO., EXTENSION)